Customer No.: 31561
Application No.: 10/605,214
Docket No.: 9789-US-PA

REMARKS

Present Status of the Application

This is a full and timely response to the outstanding non-final Office Action mailed on March 29, 2004. It is noted with great appreciation that the Examiner considers claims claims 3, 5-7, 10, 12-14 as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Office Action, however, rejected claims 1-2, 4, 8-9, and 11 under 35 U.S.C. § 102(b) as being anticipated by Shi et al. (USP 5,693,956).

After carefully considering the remarks set forth in this Office Action and the cited references, Applicants respectfully submitted that the presently pending claims are in condition for allowance. Reconsideration and withdrawal of the Examiner's rejection are requested.

Discussion of Office Action Rejections

The Office Action rejected claims 1-2, 4-5, and 7-9 under 35 U.S.C. 102(b) as being Shi et al. (U.S.Patent 5,693,956).

In order to properly anticipate Applicant's claimed invention under 35 U.S.C §102, each and every element of the claim in issue must be found, "either expressly or inherently

described, in a single prior art reference." "The identical invention must be shown in as complete detail as contained in the ... claim. Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The present invention teaches, among other things, forming a passivation layer on the substrate to cover the organic light emitting diode unit and providing an ion beam to perform surface treatment on the passivation layer. Contrary to the Office Action's assertion, Shi does not teach providing an ion beam to perform surface treatment on the passivation layer. Shi instead teaches forming the dielectric medium layer 30 by thermal evaporation, sputtering or PECVD methods. As recited in col. 3, ln 17-21 of Shi, "dielectric medium layer 30 is preferably formed from one of silicon nonoixide (SiO), silicon oxide (SiOx), silicon dioxide (SiO2) or silicon nitride (Si3N4) and is generally applied by thermal evaporation, sputtering or PECVD methods." There is not where in Shi that teaches or discloses performing a surface treatment on the surface of the passivation layer.

For at least these reasons, Applicants respectfully assert that claims 1 and 8 patentably define over Shi. Since claims 2,4 & 8,9,11 are dependent claims which further define the invention recited in claims 1 and 8, Applicant respectfully assert that these claim is also in condition for allowance. Therefore, reconsideration and withdrawal of these rejections are respectfully requested.

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CONCLUSION

For at least the foregoing reasons, it is believed that the presently pending claims 1-14 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

Date : NOV. 11, 2004

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